

Arizona Department of Corrections Rehabilitation & Reentry



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RYAN THORNELL
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June 18, 2024

Lindsey Perry, CPA, CFE
Auditor General
2910 N. 44th Street, Suite 410
Phoenix, AZ 85018-7271

Dear Ms. Perry:

Attached is the Arizona Department of Corrections, Rehabilitation and Reentry's response to the Arizona Department of Corrections, Rehabilitation & Reentry's Annual Compliance Review of Specific Statutory and Policy Requirements pursuant to Arizona Revised Statutes §41-1610.02.

Thank you for the opportunity to respond. If you have any questions, please do not hesitate to contact my office.

Thank you,

A handwritten signature in black ink, appearing to read "Ryan Thornell".

Ryan Thornell, Ph.D.

Director

Chapter 2: Department complied with some transition program provisions but did not release or untimely released some inmates we reviewed

Recommendation 1: The Department should, in conjunction with recommendation 1b from our September 2021 performance audit and sunset review, continue to monitor, identify, and address delays in processes that are within the Department's control that delay inmate transition program releases. These efforts should include addressing:

Recommendation 1a: Untimely inmate classification.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Direction will be provided to the intake facility classification staff (COIII's, COIV's and Deputy Wardens) that inmates identified as having less than 6 months to serve shall be marked as priority processing. If a classification for any inmate is delayed or expected to take longer than is required by policy, then a detailed explanation of the delay under the Classification Case Note type. The note shall include the steps taken to remedy the delay as well as the expected completion date. The department will incorporate into Department Order 801 Inmate Classification the above mentioned solution. Proposed email subject line for priority inmate:

Recipients

Priority Classification/Fast Track 369008 - Boswell

Recommendation 1b: Delays in obtaining signed transition program agreements.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Changes have been proposed to the Department Order 1001 Inmate Release System for identified fast track inmates and the requirement of the COIII to meet with the inmate to obtain the signed transition agreement forms. This meeting with the inmate shall take place within two workdays of the inmate arriving into a reception facility. The proposed changes were submitted on March 8th, 2024 to the policy unit for formatting and processing. TCU will continue to reach out to the COIII's when transition agreements are not completed. TCU is exploring developing scripts to be used in the current release tracking google sheet that will trigger emails to various stakeholders regarding pending items for inmates identified as fast trackers.

Recommendation 1c: Untimely transition program approval.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Refer to responses provided in 1a and 1b

Recommendation 1d: Delays in approving post-release placement.

Department response: The finding of the Auditor General is agreed to, and the recommendation will be implemented.

Response explanation: Two inmates had their homeplans submitted right when or before the policy change went into effect that allowed a homeless release. One of the inmates had a homeplan that was submitted on 01/13/2023 which was prior to the policy change allowing for a homeless release. The homeplan was then approved on 01/31/2023. The inmate was released 02/03/2024. The 2nd inmate had a halfway house homeplan submitted on 01/26/2023 and approved on 02/07/2023. The inmate was released on 02/10/2023.

Based on the policy change to allow homeless releases for Transition that has been implemented, it is our position that this deficiency has been considerably mitigated. The department will continue to monitor and provide direction to staff as needed.

Chapter 3: Department did not timely notify a victim of an inmate's early release in accordance with statute or notify victims of 20-day time frame to object to a release, potentially impacting the victim's ability to object to an inmate's early release

Recommendation 2: The Department should send victims of inmates who are scheduled to be released early to the transition program a notification of the planned early release at least 20 days prior to the inmate's scheduled release pursuant to A.R.S. §31- 281(B)(4).

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: DO1001 Inmate Release System, 5.0 Release Procedures - Institutions, was reviewed and changes were proposed to include a new policy addition (5.3.5.4) that states if a victim has opted in for notification pursuant to DO526 Victim Services, Victim Services shall be notified of the Transition approval and projected Transition release date prior to 20 calendar days. If the Transition Release date is within 20 calendar days, Victim Services shall be notified of the approval immediately and an adjusted date will be provided. Once Victim Services has received notification of transition program eligibility, a letter will be sent to the opted-in victim(s).

Recommendation 3: The Department should revise Department Order 1002 to release inmates early to the transition program only after a victim that has requested notification is provided notice and a 20-day opportunity to be heard and potentially object to the release pursuant to A.R.S. §31-281(B)(4).

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Department Order 1002 (DO1002) Inmate Release Eligibility System was updated effective 11/26/2023, Section 8.3.5 (8.3.5.3) to reflect the requirement of the 20 calendar day notification time frame.

Recommendation 4: The Department should update its post-conviction notice letter to inform victims of the 20-day time frame to object to an inmate's early release to the transition program after receiving the Department's final release notification.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Office of Victim Services agrees with the recommendation; release notifications to victims regarding the Transition Program will be updated to reflect the statutory language regarding the 20 day time frame in which to respond and object.

Chapter 4: Approximately 60 percent of inmate enrollments in Department-offered major programs ended in a completion in fiscal year 2023, representing a slight improvement from fiscal year 2022, but many enrollments still resulted in a noncompletion

Recommendation 5: The Department should, in conjunction with Recommendation 4 from our September 2021 performance audit, continue to implement its process for approving transfers of inmates enrolled in major programs, assess whether this process helps to reduce program non-completions due to inmate transfers, and make further changes to the process to reduce non-completions as needed.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Education, Programming, and Community Reentry team will collaborate with the Population Management staff to minimize the transfer of inmates enrolled in major programs. This effort aims to reduce the rate of program non-completions resulting from inmate transfers. We will continuously evaluate and refine these processes to ensure their effectiveness in reducing non-completions.

Recommendation 6: The Department should, in conjunction with Recommendations 3 and 7 from our September 2021 performance audit, continue to develop and implement documented processes for all major programs to use enrollment data to:

Recommendation 6a: Monitor major program enrollments, completions, and non-completions by prison/prison unit, both overall and by reason for noncompletion.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: In alignment with Recommendations 3 and 7 from our September 2021 performance audit, the Education, Programming, and Community Reentry team will continue to develop and implement documented processes for all major programs to effectively utilize enrollment data. Specifically, we will monitor major program enrollments, completions, and non-completions by prison and prison units. This monitoring will include a comprehensive analysis of non-completion reasons to ensure targeted improvements and enhanced program success rates.

Recommendation 6b: Research the causes for variation in major program non-completions across prisons/prison units.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department will conduct a thorough investigation into the causes of variation in major program non-completions across different prisons and prison units.

Recommendation 6c: Use this information to make changes, as needed, to its major program enrollment policies, guidance, and/or trainings to help reduce noncompletions.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department will utilize the findings from our investigation into the causes of variation in major program non-completions to make necessary changes to our major program enrollment policies, guidance, and training.

Recommendation 7: The Department should, in conjunction with Recommendation 8 from our September 2021 performance audit and Recommendations 7 and 8 from our July 2023 Annual Compliance Review, continue to develop and implement a process to review enrollment, participation, and completion data for all major programs to:

Recommendation 7a: Monitor all major programs data for unexpected values in time frames and dates, as well as identify duplications and make corrections accordingly.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: In alignment with Recommendation 8 from the September 2021 performance audit and Recommendations 7 and 8 from the July 2023 Annual Compliance Review, the Department will continue to develop and implement a robust process to review enrollment, participation, and completion data for all major programs. Specifically, we will: 1. Monitor Data for Unexpected Values: Implement systematic checks to identify and investigate any unexpected values in time frames and dates within program data. 2. Identify and Correct Duplications: Develop procedures to detect and rectify any duplications in the data, ensuring accuracy and integrity in the tracking of program metrics. 3. Enhance Data Review Processes: Regularly review and update the data review processes to ensure they remain effective and comprehensive, addressing any issues promptly. 4. Train Staff on Data Accuracy: Provide training for staff involved in data entry and review to enhance their ability to detect and correct errors, ensuring high-quality data management. 5. Utilize Technology Solutions: Leverage advanced technology and software solutions to assist in the monitoring and correction of data anomalies and duplications. By implementing these measures, the Department aims to maintain accurate and reliable data for all major programs, thereby enhancing the monitoring and reporting of enrollment, participation, and completion rates.

Recommendation 7b: Research the causes for these unexpected values and other identified unexpected values.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: See response for 7a

Recommendation 7c: Use this information to make changes, as needed, to its major program enrollment policies, guidance, and/or trainings, or identify and implement system updates that are needed to prevent errors.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: See response for 7a